

# Forms of County Government

## **Council**

In the council form of government, all responsibility for policy making and administration of county government is vested in the county council. The council shall consist of not less than three nor more than 12 members. Although omitted from the state statute, the terms of council members in this form, as in the other forms, shall be two or four years as determined by the county council. This form is unique in that there is no county executive. The council retains executive and legislative power. However, it may designate one of its members, such as the Chairman, to act in its behalf and assign him additional administrative duties, or it may designate some other appointive employee to act in such capacity at the council's discretion.

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## **Council-Supervisor**

Counties adopting the council-supervisor form of government shall consist of not less than two nor more than 12 council members, elected for two or four year terms. The supervisor is elected at-large and shall serve as chairman of the county council and is elected also for a two or four year term of office. The law states that the supervisor may vote only to break tie votes on the council.

The salary of the supervisor is determined by the council by ordinance and may be changed during the term for which he is elected so long as the supervisor does not vote on the question. State law prescribes the powers and duties of the county supervisor. They include, but are not limited to, the following:

- (1) serving as chief administrative officer of the county;
- (2) executing the policies and legislative actions of the council;
- (3) directing and coordinating the operations of the county;
- (4) preparing annual operating and capital budgets for the council;
- (5) supervising the expenditure of county funds;
- (6) preparing reports for the council on finances and administrative activities;
- (7) recommending measures to the council for adoption;
- (8) serving as presiding officer of the council and voting in ties;
- (9) serving as official spokesman for the council;
- (10) inspecting the books, accounts, records, or documents pertaining to the property, money or assets of the county;
- (11) being responsible for the administration of the county's personnel policies approved by the council, including salary and classification plans;
- (12) being responsible for the employment and discharge of personnel, including the county attorney, subject to the appropriation of funds by council.

State law provides that the council may not remove any county administrative officers or employees appointed by the supervisor or his subordinates except by two-thirds vote of the council present and voting. The law also provides that neither the council nor individual members shall give direct orders to any county employee, publicly or privately, except for purposes of inquiries or official investigations.

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Regarding other elected officials of county government, the law states that except for organizational policies established by the council the supervisor shall not have authority over those elected officials whose offices were created by either the state Constitution or by general law.

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## **Council-Administrator**

The council in the council-administrator form of government shall consist of not less than three members nor more than 12 members. Council members are again elected either for two or four year terms of office. The administrator is an appointive official employed by the council who is to be the administrative head of the county government responsible for administration in all departments subject to the council's control. The council may employ the administrator for a definite term or not, at its discretion. Should the council decide to terminate the administrator, he shall be given a written statement of the reasons for termination and has the right to a public hearing at a council meeting.

The powers and duties of the county administrator are outlined in state law and include the following:

- (1) serving as chief administrative officer of the county;
- (2) executing the policies, directives and legislative actions of the council;
- (3) directing and coordinating operations of the county;
- (4) preparing annual operating and capital budgets for the council, and requiring such reports, estimates and statistics as necessary from county departments and agencies;
- (5) supervising the expenditure of appropriated funds;
- (6) preparing financial and administrative reports for the council;
- (7) administering county personnel policies, including salary and classification plans approved by council;
- (8) employing and discharging county personnel, subject to council appropriation of funds for that purpose;
- (9) and performing other duties as required by the council.

The administrator is specifically directed by law to inform the council of anticipated revenues and the amount of tax revenue required to meet the financial requirements of the county when he presents proposed operating and capital budgets to the council.

As in the supervisor form, the administrator has no authority over any elected officials of the county whose offices were created by the state Constitution or laws, with the exception of applying general organizational policies adopted by the council. And, except for purposes of inquiries and investigations, the county council shall not deal with county officers and employees who are subject to the direction and supervision of the administrator except through the administrator. Neither the council nor its members are to give orders or instructions to county employees.

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## **Council-Manager**

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The council in the council-manager form of government shall consist of not less than five nor more than 12 members. As in the other forms of county government, the council members are elected for either two or four year terms of office. The county manager is an appointed official who reports to the county council. His powers and duties are identical to those of the county administrator discussed above. In fact, the differences between the council-manager and council-administrator forms of county government concern the county treasurer and auditor, and the number of council. State law provides that in the manager form of government the treasurer and auditor may be appointed by the county council rather than elected. The council must determine the method of selection and, if appointive status is preferred, must pass an ordinance to that effect. Once made appointive officers, the auditor and treasurer are subject to control by the council and the manager in the same manner as other appointed department heads of the county. Similar restrictions apply in the manager form regarding council's powers over elected officials as in the other forms of county government.